

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

KATHERINE VEILLEUX, JENNIFER CHON,
ROCKY COAST FAMILY ACUPUNCTURE
PC, and JAMES TILTON, individually and on
behalf of all others similarly situated,

Plaintiffs

v.

ELECTRICITY MAINE, LLC, PROVIDER
POWER, LLC, SPARK HOLDCO, LLC,
KEVIN DEAN and EMILE CLAVET

Defendants

CASE NO: 1:16-cv-571-LEW

JOINT MOTION TO STAY

Plaintiffs and Defendants (collectively the “Parties”) jointly move for an order staying all deadlines and further activity in this action (the “Lawsuit”) for a period of seventy-five (75) days from the date of this Motion while the Parties pursue settlement discussions. In support of this Joint Motion, the Parties state as follows:

1. Currently, three motions are fully briefed and pending before this Court: (1) Plaintiffs’ Motion to Certify Class (ECF No. 163); (2) Defendants’ Motion to Exclude Expert Testimony (ECF No. 183); and (3) Defendants’ Motion to Dismiss and Compel Arbitration (ECF No. 145).

2. On July 1 and 2, the Parties attended a judicial settlement conference with Magistrate Judge John C. Nivison in Bangor (ECF Nos. 216, 217).

3. As a result of that conference, the Parties have made progress toward a settlement that would fully and finally resolve the Lawsuit.

4. In order to reach such a global settlement agreement among the Parties, first a separate agreement between Defendants Electricity Maine, LLC and Spark HoldCo, LLC (collectively “Electricity Maine”) and Defendants Provider Power, Emile Clavet, and Kevin Dean (collectively “Provider Power”) on certain issues is necessary.

5. Electricity Maine and Provider Power require additional time to work out the terms of their agreement.

6. The Parties request that the Court stay all deadlines and further activity in the Lawsuit for a period of seventy-five days from the date of this Motion.

7. Prior to the expiration of the requested stay, the Parties will either (a) report to the Court that the Parties have reached an agreement to resolve the Lawsuit, pending preliminary and final approval by the Court; or (2) report to the Court that a settlement has not been reached and request that the Court either grant a further stay or rule on the pending motions after hearing, as the case may be.

WHEREFORE, the Parties jointly request that this Court enter an order staying all deadlines and further activity in this Lawsuit for a period of seventy-five (75) days from the date of this Motion.

Dated at Portland, Maine this 12th day of July, 2019

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CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2019, I electronically filed the foregoing document using the CM/ECF system which will send the notification of such filing to counsel of record.

/s/ John J. Aromando

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